

ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

U.S. DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS

FILED

JUL 18 2012

CLERK, U.S. DISTRICT COURT  
By \_\_\_\_\_  
Deputy

UNITED STATES OF AMERICA

§

§

v.

§

No. 4:11-CR-203-Y

§

JOSHUA ALEXANDER SMITH (2)

§

FACTUAL RÉSUMÉ

I. Plea:

The defendant is pleading guilty to Count Two of the Indictment. The Indictment charges Sex Trafficking by Force, Fraud, and Coercion in violation of 18 U.S.C. § 1591(a)(1) and (b)(1).

II. Penalties:

The penalties the Court can impose include:

- a. imprisonment for a period not less than fifteen (15) years and up to life;
- b. a fine not to exceed \$250,000, or twice the pecuniary gain to the defendant or loss to the victim(s), or both such fine and imprisonment;
- c. a term of supervised release of up to five (5) years, which may be mandatory under the law and will follow any term of imprisonment. If the defendant violates the conditions of supervised release, the Court may revoke such release term and require that the defendant serve any or all of such term as an additional period of confinement. The effect of a revocation of a term of supervised release is to make the overall period of incarceration longer;
- d. a mandatory special assessment of \$100;

- e. restitution to victims or to the community, which may be mandatory under the law, and which the defendant agrees may include restitution arising from all relevant conduct, not limited to that arising from the offense of conviction alone;
- f. costs of incarceration and supervision; and
- g. forfeiture of property.

III. Elements of the Offense:

In order to establish the offense alleged in Count Two of the Indictment, the government must prove the following elements beyond a reasonable doubt:

- First: That the defendant knowingly recruited, enticed, harbored, transported, provided or obtained or maintained a person;
- Second: That the defendant did so knowing that force, fraud, or coercion would be used to cause a person to engage in a commercial sex act; and
- Third: That the defendant's actions were in or affecting interstate commerce.

IV. Stipulation of Facts:

Beginning in or around May 2011 and continuing thereafter until in or around July 2011, in the Fort Worth Division of the Northern District of Texas, defendant Joshua Alexander Smith, using force, fraud, and coercion, knowingly recruited, enticed, harbored, transported, provided, obtained and maintained by any means, in and affecting interstate commerce, C.W., knowing and in reckless disregard of the fact that force, fraud, and coercion would be used against C.W. to cause her to engage in a commercial sex act.

An eighteen year-old female, C.W. was arrested by Arlington Police Department on July 30, 2011 for prostitution. Advertisements of C.W. were seen by undercover officers on the internet. Officers, per website postings, arranged to meet C.W. at a hotel in Arlington, Texas. At the hotel, C.W. offered an undercover officer sex for money. C.W. was arrested. Officers later learned that C.W. worked as a prostitute for Smith.

Smith and C.W. dated until Smith convinced C.W. that she could make a lot of money if she worked for him as a prostitute. C.W. declined on multiple occasions but Smith persisted. C.W. eventually agreed and began to work for Smith beginning in or around May 2011. Smith advertised C.W. on websites including backpage.com using the password: "30hoopking." Smith received all of the money earned by C.W. Smith would provide her necessities such as food, gas, and clothing. Smith also provided condoms, and hotel rooms in the Fort Worth area.

While working for Smith, Smith choked C.W. and held her against the wall. He poured drinks on her head, pulled her hair, and threatened to harm her if she left him. Smith pushed C.W. to work longer hours and to acquire more clients. C.W. was fearful to disobey or leave Smith.

Smith admits that his actions affected interstate commerce. He further admits that he knowingly recruited, enticed, and transported C.W., knowing that force, fraud, or coercion would be used to cause her to engage in a commercial sex act.

AGREED AND STIPULATED on this 16 day of July 2012.



\_\_\_\_\_  
JOSHUA ALEXANDER SMITH

Defendant

Date signed: 7-16-12



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JOHN STICKELS

Attorney for Defendant

Date signed: 7-16-12